

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

Belinda Franklin,
5429 Bradley Pines Cr. Apt D
Sandston, VA 23150
SSN/ITIN: xxx-xx-4855,
Debtor

Case No. 13-34268-DOT
Chapter 7

NOTICE OF MOTION AND NOTICE OF HEARING OF U.S. TRUSTEE TO DISMISS

Judy A. Robbins, the United States Trustee for Region Four, has filed a motion to dismiss your case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in this motion, or if you want the court to consider your views on the motion, then you or your attorney must:

- (1) File with the clerk's office at: United States Bankruptcy Court
701 E. Broad Street
Suite 4000
Richmond, VA 23219

a written response 7 days prior to the date set for the hearing.

Under Local Bankruptcy Rule 9013-1, unless a written response to this motion and supporting memorandum are filed with the Clerk of Court and served on the moving party within 7 days before the scheduled hearing date, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.

- (2) You must also mail a copy to: Office of the United States Trustee
701 E. Broad Street,
Richmond, VA 23219, and

Robert B. Van Arsdale, Esq., AUST, VSB 17483
Shannon Franklin Pecoraro, Esq., VSB 46864
Office of the U.S. Trustee
701 East Broad Street
Suite 4304
Richmond, VA 23219
(804) 771-2310

(3) Attend the hearing to be scheduled on this motion for **December 4, 2013 at 12:30 p.m.** at:

United States Bankruptcy Court
701 E. Broad Street
Courtroom 5100
Richmond, VA 23219

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: October 29, 2013

Attorney: /s/Robert B. Van Arsdale
Robert B. Van Arsdale

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2013, service of the Notice of Motion to Dismiss on all attorney users in the case was accomplished through the Notice of Electronic Filing, pursuant to CM/ECF Policy 9 of the United States Bankruptcy Court for the Eastern District of Virginia, Case Management/Electronic Case Files (CM/ECF) Policy Statement, Version 09/04/09. I certify that on October 29, 2013, I mailed the Notice of Motion to Dismiss to the debtor, via regular U.S. mail, postage prepaid as follows:

Belinda Franklin,
5429 Bradley Pines Cr. Apt D
Sandston, VA 23150

/s/ Robert B. Van Arsdale
Robert B. Van Arsdale

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MOTION TO DISMISS

Judy A. Robbins, the United States Trustee for Region Four, by counsel, moves to dismiss this case, and in support of the Motion states:

1. This case was filed as a voluntary chapter 7 on August 7, 2013. Joseph S. Massie, III, represented and continues to represent the debtor.
2. Lynn L. Tavenner was appointed trustee. The meeting of creditors was originally scheduled for September 10, 2013.
3. The debtor asked the U.S. Trustee to reschedule the meeting of creditors. The U.S. Trustee granted the debtor's request and rescheduled the meeting of creditors for October 21, 2013, conditioned upon the debtor providing notice of the date, time and place of the rescheduled meeting of creditors to all creditors within seven days of obtaining the new date and time and place of the rescheduled meeting of creditors.
4. The debtor appeared at the rescheduled meeting of creditors, but the debtor has not provided notice of the rescheduled meeting of creditors.

WHEREFORE the U.S. Trustee respectfully requests that this Court dismiss this case, and grant her such other and further relief as the Court shall deem necessary and just. If the Court denies the Motion to Dismiss, and permits the debtor to obtain and give notice of another rescheduled meeting of creditors, the U.S. Trustee requests that the Court order that the deadlines as set forth in the original notice of meeting of creditors in this case shall run from the date of the next rescheduled meeting of creditors.

RESPECTFULLY SUBMITTED,

Judy A. Robbins
U.S. Trustee for Region Four

By: /s/Robert B. Van Arsdale
Robert B. Van Arsdale
AUST

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/s/ Robert B. Van Arsdale
Robert B. Van Arsdale